



City of Santa Barbara
Police Department

Memorandum

DATE: January 26, 2012

TO: Fire and Police Commission

FROM: Holly Perea, Police Technician

SUBJECT: Commission Consideration of Increase Maximum Number of Companies to the Tow Rotation List

DISCUSSION:

At the March 24, 2011 meeting of the Board of Fire and Police Commissioners ("the Board"), representatives from Nieves Towing expressed an interest in being added to the City's Tow Rotation List. At the time of that meeting there were five companies active on the City's Tow Rotation List, and one company, Smitty's Towing, in the midst of a one-year suspension from the List. At the March 2011 meeting, the Board agreed to revisit the issue in November 2011, the month in which the suspension for Smitty's Towing was scheduled to end. Subsequently, at the Fire and Police Commission meeting held on November 17, 2011, Smitty's Towing was reinstated to the Tow Rotation List, bringing the number of active companies on the list back up to the maximum allowable, six. However, taking into consideration Nieves Towing's earlier request to be added to the List, the Board also voted at the November meeting to place an item on the agenda of the January 2012 meeting to reconsider the maximum number of companies permitted on the Tow Rotation List.

BACKGROUND:

As of December 2001 there were four companies on the City's Tow Rotation List: Love's, Holzer's, BJ's, and Thomas Towing. In 2002 Thomas Towing was suspended from the list, temporarily decreasing the list to three companies, but after completion of the suspension, Thomas Towing was automatically reinstated to the list. In July 2003 the Police Department recommended that the City adopt a call-by-call tow rotation schedule and recommended the addition of a fifth tow company to the tow rotation program. These recommendations were approved by the Board of Fire and Police Commissioners, and Smitty's Towing was subsequently admitted to the list, bringing the Tow Rotation List to five companies.

In early 2006 Santa Barbara Towing requested inclusion on the Tow Rotation List. A survey was distributed to the five companies currently on the Tow Rotation List asking if

they were in favor of another company being added to the List. All responded, "No." Comments included:

- "financial impact,"
- "...another company will significantly lower the number of calls...to...defray these (abandoned vehicle) costs,"
- "Another company would offset the new raise in rates... have a decreased call volume,"
- "The five companies...on rotation at this time can handle any service needed,"
- "...reduce the calls to the current companies, thus reducing income...financial strain on an already tough towing market."
- "Adding another company would also open the door for all companies...to be able to apply...reducing income even further."

After much consideration, the Board denied Santa Barbara Towing's request at its February 2006 meeting.

However, Santa Barbara Towing continued to contact the Santa Barbara Police Department about inclusion on the list. In January 2007 Police Department staff determined that although by practice the List had been limited to five companies, there was no official limit established in writing. The Santa Barbara Police Department asked the Board to clearly identify the number of tow companies permitted on the Tow Rotation List. After much discussion on the matter, the Board voted to set the number of tow companies on the List to a minimum of three and a maximum of six companies. Santa Barbara Towing was then approved to fill the sixth space on the list.

In November 2010, Smitty's Towing was suspended from the Tow Rotation List, but was subsequently reinstated in November 2011. As of today, the List is comprised of six companies.

On January 11, 2012, Santa Barbara Police Department staff contacted the Santa Barbara Sheriff's Department ("SBSO") and the local branch of the California Highway Patrol ("CHP") to determine whether either agency has limits on the number of companies permitted on their Tow Rotation Lists. It was discovered that neither agency has such a limit. Instead, both agencies allow any company that meets minimum requirements to be added to their rotation lists. The SBSO currently has 9 companies on rotation, and the CHP currently has 7 companies on its list.

In the calendar year of 2011, the Police Department had approximately 3700 calls assigned to companies on the Tow Rotation List. If that number is divided equally among six companies, each company would receive approximately 615 calls per year. If the List is increased to seven companies, the number of calls per company would average approximately 530 calls each year. Should the Board decide to open the list to any company that qualifies, the number of tow calls per company each year would vary depending upon the number of companies on the list at any given time.

RECOMMENDATION:

It is the recommendation of the Santa Barbara Police Department that the Board of Fire and Police Commissioners reviews the "Rules and Regulations for Tow Service Operators on Rotation List for the Police Department" to determine whether to increase the maximum number of companies permitted on the list.